IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P. No.12908 of 1989

Date of Decision:-7.3.2007.

M/s Pritam Singh Balbir Singh.

...Petitioner.

Versus

State of Punjab and another.

...Respondents.

CORAM : Hon'ble Mr. Justice Rajesh Bindal.

Present:- None for the petitioner.

Ms.Urvashi Dhugga,AAG Punjab.

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RAJESH BINDAL, J.

This order will dispose of C.W.P. Nos.12908, 10477, 11987 of 1989,7742 and 16169 of 1990. However, the facts have been extracted from C.W.P. No.12908 of 1989.

The challenge in the present petition is to the notice issued by the Assistant Collector for recovery of a sum of Rs.6583/- as arrears of land revenue on account of royalty on the brick earth from the petitioner. This issue has already been considered by this Court in L.P.A. No.622 of 1986, The State of Punjab and others vs. M/s Subhash Chander, decided on 24.8.1990.

In the written reply filed to the writ petition, the respondents have annexed the copy of Sharat Wajab Ul arz of village Javanda,Teh.Nakodar, Distt. Jalandhar, of the year 1849-50. However, no

assessment order has been placed on record dealing with the issue in detail referring to judgment of this Court. Accordingly, finding merit in the contention made by the petitioner in the writ petition, I set aside the demand notice and remit the matter back to the Assessing Authority for dealing with the issue afresh in the light of the judgment of this Court on the issue.

The writ petitions are disposed of in the above manner.

(RAJESH BINDAL)
JUDGE

March 7, 2007.
Reema